

Amendment No. 1 to SB1740

McNally
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1740*

House Bill No. 1826

By deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 3, Part 4, is amended by adding the following language as a new, appropriately designated section:

§ 67-3-423.

(a) The department of revenue, in consultation with the department of economic and community development, is authorized to create the Tennessee biodiesel manufacturers' incentive fund. Disbursements from such fund shall be subject to appropriations being made from the fund in the general appropriations act. Amounts remaining in the fund at the end of each fiscal year shall not revert to general fund but shall remain available for expenditure in subsequent fiscal years. Money in the fund shall be invested by the state treasurer pursuant to title 9, chapter 4, part 6, for the sole benefit of the fund. All earnings attributable to such investments shall be credited to the fund. Money in the biodiesel manufacturers' incentive fund may be used by the department of economic and community development for program administration, marketing expenses and program evaluation; however, such expenses shall not exceed five percent (5%) of the total amount appropriated for the fund in any fiscal year.

(b) In any fiscal year in which funds are available in the biodiesel manufacturers' incentive fund and appropriated by the general appropriations act, the department of economic and community development shall make incentive payments to Tennessee biodiesel manufacturers for product manufactured in Tennessee and sold to a Tennessee distributor. Such payments shall be made monthly beginning the first day of September of each fiscal year in which funds are available and appropriated. The amount of such payments shall be determined by the department of economic and

community development, in consultation with the department of revenue, annually based on the funds then available in the biodiesel manufacturers' incentive fund. Each manufacturer shall be eligible for payment for no more than ten million (10,000,000) gallons per year.